

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY


(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

REC'D 03 JAN 2006

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Applicant's or agent's file reference JHB/03364WO/JLH		FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/GB2004/004313		International filing date (day/month/year) 11.10.2004		Priority date (day/month/year) 09.10.2003
International Patent Classification (IPC) or national classification and IPC G01N25/04, G01N25/02, G01N25/72				
Applicant UNIVERSITY OF SOUTHAMPTON et al.				
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 5 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:</p> <p><input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>				
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>				
Date of submission of the demand 18.07.2005		Date of completion of this report 04.01.2006		
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016		Authorized Officer Duchatellier, M Telephone No. +31 70 340-2272		



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/GB2004/004313

Box No. I Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)
2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):*

Description, Pages

1-11 as originally filed

Claims, Numbers

1-6 received on 21.12.2005 with letter of 19.12.2005

Drawings, Sheets

1/4-4/4 as originally filed

- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence-listing *(specify):* _____
- ☐ any table(s) related to sequence listing *(specify):* _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing *(specify):* _____
- ☐ any table(s) related to sequence listing *(specify):* _____

* If item 4 applies, some or all of these sheets may be marked "superseded."

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**INTERNATIONAL PRELIMINARY REPORT
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PCT/GB2004/004313

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-6
	No: Claims	
Inventive step (IS)	Yes: Claims	1-6
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-6
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1). Reference is made to the following documents:

D1: US-A-2003118078

D2: WO-A-0102089

D3*: J. of Appl. Polymer science, Part B: Polymer Physics, vol. 34, pages 2783-2804, Zhuomin Ding et al.: "an experimental method for studying non isothermal crystallization of polymers at very high cooling rates".

D4: GB-A-2202941

* This document was cited in D1 (paragraph 317)

2). The invention relates to a method of measuring temperature value associated with melting, softening or decomposition by heating an array of samples on a support tray and determining optically a change of phase.

Such a method is known from D1 (cf. paragraphs 316-323 and figure 28).

The problem to be solved is to screen easily multiple samples in a single operation.

This problem is solved by illuminating the support tray and the whole array of samples, imaging the array of sample by a digital device and using image processing software to detect changes in the image of the array.

~~No available document recites this solution and this solution cannot be considered~~
as obvious by the skilled man. consequently, the subject-matter of claim 1 fulfills the requirements of Article 33(3) PCT.

3). Dependent method-claims 2-4.

Claims 2-4 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.

4). Independent apparatus-claim 5.

For similar reasons as put forward concerning claim 1, the subject-matter of claim 5 meets also the requirements of the PCT with respect to novelty and inventive step.

5). Dependent apparatus-claim 6.

Claim 6 is dependent on claim 5 and as such also meets the requirements of the

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**INTERNATIONAL PRELIMINARY
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(SEPARATE SHEET)**

International application No.

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PCT with respect to novelty and inventive step.

6). Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D1 and D4 is not mentioned in the description, nor are these documents identified therein.

7). The independent claims are not in the two-part form.

8). The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

9). The description has not been amended in accordance with new claim 1.

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